

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LAUSTEVEION JOHNSON,

Plaintiff,

v.

CORNFIELD, *et al.*,

Defendants.

Case No. 3:22-cv-00108-MMD-CSD

ORDER

In this action filed under 42 U.S.C. § 1983, the Court permitted Plaintiff Lausteveion Johnson to proceed with three claims: (1) First Amendment retaliation; (2) Eighth Amendment unsafe prison conditions; and (3) Fourteenth Amendment equal protection. (ECF No. 4 at 9-16.) Before the Court is the Report and Recommendation of United States Magistrate Judge Craig S. Denney (ECF No. 26) (“R&R”), recommending the Court deny Plaintiff’s emergency motion for preliminary injunction (ECF No.10) and his two motions for oral argument (ECF Nos. 17, 18). Plaintiff had until November 24, 2022, to file an objection to the R&R. (ECF No. 26.) To date, Plaintiff has not filed an objection to the R&R.

This Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, advisory committee note to 1983 amendments (providing that the court

1 “need only satisfy itself that there is no clear error on the face of the record in order to
2 accept the recommendation”).

3 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to
4 determine whether to adopt Magistrate Judge Denney’s R&R. Upon reviewing the R&R
5 and records in this case, this Court finds good cause to adopt the Magistrate Judge’s
6 R&R in full. Judge Denney correctly found that the relief Plaintiff requested—involving
7 calculation of good-time credit—is unrelated to the claims that the Court allowed to
8 proceed in its screening order.

9 It is therefore ordered, adjudged, and decreed that the Report and
10 Recommendation of Magistrate Judge Craig S. Denney (ECF No. 26) is accepted and
11 adopted in full.

12 It is further ordered that Plaintiff’s emergency motion for preliminary injunction
13 (ECF No. 10) and motions for oral argument (ECF Nos. 17, 18) are denied.

14 DATED THIS 13th Day of January 2023.

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MIRANDA M. DU
19 CHIEF UNITED STATES DISTRICT JUDGE
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